

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

SYNOVUS BANK,
Plaintiff,

vs.

CROSSROADS, LLC, *et al.*,
Defendants.

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CIVIL ACTION NO. 11-00333-KD-C

ORDER

This matter is before the Court on the Plaintiff's "Notice of [Voluntary] Dismissal" of this case pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, in which the Plaintiff seeks dismissal of its claims against all of the Defendants Crossroads, LLC, Robert T. Cunningham, III, Clarence E. Burke, Jr., John B. Foley, IV, Pennstar, L.L.C., and Wolf Creek Industries, Inc., without prejudice. (Doc. 17).

The record reveals that none of the Defendants have served an answer or a motion for summary judgment, such that Plaintiff's voluntary Notice of Dismissal of the case without prejudice pursuant to Rule 41(a)(1)(A)(i) is proper.

Accordingly, it is hereby **ORDERED** that the Plaintiff's case against Defendants Crossroads, LLC, Robert T. Cunningham, III, Clarence E. Burke, Jr., John B. Foley, IV, Pennstar, L.L.C., and Wolf Creek Industries, Inc., is **DISMISSED without prejudice**.

Each party to bear his or its own costs.

DONE and ORDERED this the 4th day of August 2011.

/s / Kristi K DuBose

KRISTI K. DuBOSE

UNITED STATES DISTRICT JUDGE